



# Commissioner of the Revenue Norfolk, Virginia



Sharon M. McDonald  
*Commissioner of the Revenue*

## IMPORTANT INFORMATION FROM THE CITY OF NORFOLK

June 30, 2003

RE: Amendment to State Code §58.1-3833 (C)

Dear Norfolk Taxpayer:

The General Assembly has amended Virginia Code §58.1.3833, which relates to the collection and remittance of food and beverage tax. The amendment provides that the wrongful and fraudulent use of collected food and beverage tax or meals tax constitutes embezzlement under the criminal embezzlement statute. The law, which goes into effect on July 1, 2003, states:

*All food and beverage tax collections shall be deemed to be held in trust for the county, city or town imposing the applicable tax. The wrongful and fraudulent use of such collections other than remittance of the same as provided by law shall constitute embezzlement pursuant to Virginia Code § 18.2-111.*

We realize that this law will not directly affect the majority of our businesses, but wanted to make you aware of this change in state code.

Thank you for your efforts in collecting and remitting this tax to the City of Norfolk. If you have any questions about this new law, do not hesitate to call your Commissioner of the Revenue's office at either (757) 441-2270 or (757) 441-2208.

Very truly yours,

Sharon M. McDonald  
Norfolk Commissioner of the Revenue